

Memorandum

To : Louise, Rick, Susan

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ATSS 561-1015

10/19/92

From : Susie Marks

Subject: Chiate Access Easement

With the first round of the Trails Program in the Santa Monica Mountains completed, I will be largely moving on to other things. A residual issue in the mountains which involves the nonprofits, access and dedications programs is the Chiate easement off of Pacific Coast Highway. This may be a project which can be implemented under any of the three programs.

History

The Coastal Commission required Ken Chiate, under three different permits, to dedicate a parking easement, lateral and vertical beach easements. Each has been recorded and we have accepted all of them. None have been opened to date because of needed improvements and maintenance. The Trails Program funded improvements for a 2.7 mile trail into the mountains, directly across from the Chiate property, to the Trust. Coastal Conservancy approval of this project occurred in Sept. 1982, Mountains Conservancy approval is anticipated for October 28. In conjunction with the Chiate easement, this project would provide the first connector from the beach into the mountains (the Malibu beach at the site is inaccessible and the trail in the mountains leads to Escondido Falls, a long time landmark).

Linda Palmer and I met with Ken Chiate several months ago to discuss the use of the easement. According to Commission staff, he is quite difficult to work with. From our visit, it became obvious that the trail needs major improvements before it can be opened to the public. While it was not surveyed, the lot is so narrow at the coastal side that placing the easement is quite easy. Chiate made a couple of suggestions: 1) If we remove this easement, he will pay for the improvements on a vertical elsewhere in Malibu. While Linda was impressed, I think I convinced her that funding improvements is not the problem and that if others were willing to give easements, they would have been built long ago; 2) He would consider relocating the easement into the ravine. Again, Linda was impressed, but it is key to understand here that while the ravine may be more scenic, there is a large drop off at PCH which would make such a relocation incredibly difficult to use. Regardless, the answer is that the easement is in the best possible location, considering the confines of Chiate's property. Chiate will try to convince otherwise.

Project Needs

1) Improvements

Linda agreed to have an architect friend look at the site to assess the improvements needed. This was long ago, and nothing has happened. It may be the best solution to hire an engineer to first determine what improvements are needed. The easement runs the length of the driveway about the first half of the trail, but then travels down a knoll (steps would be appropriate) and into a drainage course. A way to improve the site so the water can still reach the beach and the improvements won't

be washed out annually is necessary. The attached map illustrates the problem.

Maintenance

Under the Trails Program, the Trust and/or Trails Council was going to accept management of this easement along with the project across the street. This was not feasible since the Chiate easement is not within the jurisdiction of the Mountains Conservancy. Both organizations have expressed interest in management at one time or another, but both have swayed from the publicity and controversy of coastal access in Malibu. The Trails Council would be most interested if they could take horses to the beach. Commission staff (Steve Howe) feels this is unrealistic since this is a pedestrian easement. It is dubious that Chiate would be willing to expand the use, but he has not been asked directly (could be an argument for improved maintenance). It is also expected that the County would not be pleased, although they may not have any mechanism for controlling such.

Pacific Coast Highway

To connect with the trail across the street, a safe way to cross PCH is needed. A memo regarding this issue is attached. Since that time, the Commission has required a permit amendment from the County. I have been working with Randy Friedman to resolve what could be obtained from such a permit. It is probable that Commission staff would recommend that the County provide a staging area. In addition, management of the Chiate easement and/or a mechanism for crossing PCH could be considered.

While this is a great project, it obviously needs a lot of work. We should establish asap whether this is a project to be pursued under any of your program areas and if so, who is to do what.

ghwa

115
INDICATES THE BOUNDARY OF THE
LAND BEING ENCROACHED BY THE GAP

HIGHWAY E

COAST

PACIFIC

Rain = drainage channel

NS OF PARCELS I
ARE SUBJECT TO
HAZARD

2
262 AC GROSS
220 AC NET

1
203 AC GROSS
233 AC NET

APM
4460-32-11

NOT A PART OF
THIS SUBDIVISION

Christe now owns this
parcel as well.

Hillside

Drainage
Course
with steep slopes
on either side. Property's
35 ft. wide
here.

81- 1259943

EXHIBIT C

DETAIL "A"

NOT TO SCALE (EXCEPT FOR THE DISTANCE)